

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Wolfgang PIEPERSBERG, et al.

Docket No.

RDID0011US

Serial No.
09/485,896Filing Date
February 17, 2000Examiner
To Be AssignedGroup Art Unit
To Be Assigned

Invention: **PROCESS FOR THE ENZYMATIC PRODUCTION OF GUANOSINE
DIPHOSPHATE-6-DEOXYHEXOSES AND THEIR USE FOR THE PRODUCTION OF OLIGOSACCHARIDES**

I hereby certify that this

Response to Notification of Missing Requirements Under 35 U.S.C. 371
(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on **June 1, 2000.**

*(Date)***EL566320715US***(Typed or Printed Name of Person Mailing Correspondence)*


(Signature of Person Mailing Correspondence)
Rose Edwards*("Express Mail" Mailing Label Number)*

Note: Each paper must have its own certificate of mailing.

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
RDID0011US

In Re Application Of: **Wolfgang PIEPERSBERG, et al.**

Serial No.	Filing Date	Examiner	Group Art Unit
09/485,896	February 17, 2000	To Be Assigned	

Invention: **PROCESS FOR THE ENZYMATIC PRODUCTION OF GUANOSINE
DIPHOSPHATE-6-DEOXYHEXOSES AND THEIR USE FOR THE PRODUCTION OF OLIGOSACCHARIDES**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on

Date

Enclosed herewith for filing are the following:

- A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- Other (list):

**Copy of Notification of Missing Requirements Under 35 U.S.C. 371 (2pp); and
Return postcard.**

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
RDID0011US

In Re Application Of: **Wolfgang PIEPERSBERG, et al.**

Serial No.

09/485,896

Filing Date

February 17, 2000

Examiner

To Be Assigned

Group Art Unit

Invention: **PROCESS FOR THE ENZYMATIC PRODUCTION OF GUANOSINE
DIPHOSPHATE-6-DEOXYHEXOSES AND THEIR USE FOR THE PRODUCTION OF OLIGOSACCHARIDES**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

Completion of application fees as calculated below:

Utility application filing fee

Design application filing fee

Total number of independent claims = _____

Total number of claims = _____

Multiple dependent claims

Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$130.00**

Petition and fee for filing by other than all the inventors or a person not the invention

Fee for processing an application filed with a non-English language specification

Fee for processing and retention of application

Total completion of application fees **\$130.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

One month Two months Three months Four months Five months

from:

May 4, 2000

Date

until:

June 4, 2000

Date

Total time extension fees **\$110.00**

Total fees due **\$240.00**

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.
RDID0011US

In Re Application Of: **Wolfgang PIEPERSBERG, et al.**

Serial No.	Filing Date	Examiner	Group Art Unit
09/485,896	February 17, 2000	To Be Assigned	

**Invention: PROCESS FOR THE ENZYMATIC PRODUCTION OF GUANOSINE
DIPHOSPHATE-6-DEOXYHEXOSES AND THEIR USE FOR THE PRODUCTION OF OLIGOSACCHARIDES**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

The fee of **\$240** is to be paid as follows:

- A check in the amount of the fee is enclosed.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **50-0877**.
A duplicate copy of this sheet is enclosed.
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **50-0877**.
A duplicate copy of this sheet is enclosed.


Marilyn L. Amick
Signature

Dated: **June 1, 2000**

Marilyn L. Amick, Reg. No. 30,444
Roche Diagnostics Corporation
9115 Hague Road, Bldg. D
P.O. Box 50457
Indianapolis, IN 46250-0457
Telephone No.: (317) 576-7464
Facsimile No.: (317) 576-2883

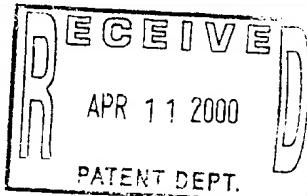
I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Express Mail Label No. **EL566320715US**

CC:

Typed or Printed Name of Person Mailing Correspondence



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D C 20231

RDID 0011 US
(MA)

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	APPLY DOX KIT NO.
09/485896	DIAGNOSTICS	R RDID0011US
MARILYN L AMICK ROCHE DIAGNOSTICS CORPORATION 9115 HAGUE ROAD BLDG D PO BOX 50457 INDIANAPOLIS, IN 46250 0457		INTERNATIONAL APPLICATION NO. PCT/EP98/05242
		IA FILING DATE 18 AUG 98 PRIORITY DATE 19 AUG 97 DATE MAILED 04 APR 2000

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- a Designated Office (37 CFR 1.494),
 an Elected Office (37 CFR 1.495);
- U.S. Basic National Fee.
- Copy of the international application in:
 a non-English language.
 English.
- Translation of the international application into English.
- Oath or Declaration of inventor(s) for DO/EO/US.
- Copy of Article 19 amendments.
- Translation of Article 19 amendments into English.
- The International Preliminary Examination Report in English and its Annexes, if any.
- Translation of Annexes to the International Preliminary Examination Report into English.
- Preliminary amendment(s) filed 17 FEB 00 and _____.
- Information Disclosure Statement(s) filed 17 FEB 00 and _____.
- Assignment document.
- Power of Attorney and/or Change of Address.
- Substitute specification filed _____.
- Verified Statement Claiming Small Entity Status.
- Priority Document.
- Copy of the International Search Report and copies of the references cited therein.
- Other: IB 306. GENERAL APPOINTMENT OF AGENT

4-11-00
PL

Response due 5/4/00
(final date is 10/4/00)

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled.

Note processing fee will be required if submitted later than 30 months from the priority date.

5. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

PCT/DO/EO/917

Notice of Defective Translation

PTO-875

FORM PCT/DO/EO/905 (December 1997)

COTTMAN, DARRELL C.

Telephone: (703) 305-3693



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY/DOCKET NO.
09/485896	DIAGNOSTICS	R RDID0011US
MARIYN L AMICK ROCHE DIAGNOSTICS CORPORATION 9115 HAGUE ROAD BLDG D PO BOX 50457 INDIANAPOLIS, IN 46250 0457		INTERNATIONAL APPLICATION NO.
		PCT/EP98/05242
		TA FILING DATE
		PRIORITY DATE
		18 AUG 98 19 AUG 97
DATE MAILED 04 APR 2000		

NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371 (c)(4) for entry into the national stage in the United States of America. The period within which to correct these requirements and avoid abandonment is set in the accompanying Office action.

A new oath or declaration, identifying this application by the international application number and international filing date is required. The oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

1. is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. does not identify the specification to which it is directed.
3. does not identify the inventor(s).
4. does not identify the citizenship of each inventor.
5. does not state the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b) WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. does not identify the city and state or city and foreign country of residence of each inventor.
2. does not state that the person making the oath or declaration:
 - a. has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
 - b. acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
3. does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.
4. does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and filing date of the continuation in part application which discloses and claims subject matter in addition to that disclosed in the prior application (37 CFR 1.63(d)).

COTTMAN, DARRELL C.

Telephone: (703) 305-3693